

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

02 APR 24 PM 2:35

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutherford/Plaza
Blanca, Cañones Creek, Village of
Chama

NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.


2. The persons or entities listed in Exhibit A are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 7 of the Rio Chama

6664

Stream System.

DATED: April 23, 2002

Respectfully submitted,


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CERTIFICATE OF SERVICE

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on April 24, 2002.


Edward G. Newville

**RIO CHAMA SECTION 7
DISTRIBUTION LIST**

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EXHIBIT A

| <u>DEFENDANT</u> | <u>SUBFILE NO.</u> | <u>ADDRESS</u> |
|------------------------|--------------------|--|
| Nicholas C. C de Baca | CHTA-003-0045 | P.O. Box 9107, Bernalillo NM 87004 |
| Jaimie Trujillo | CHTA-004-0005C | #18 Blue Canyon Vista, Santa Fe NM 87501 |
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| Adel Gomez | CHRB-003-0003 | P.O. Box 208, Lumberton NM 87528 |
| Manuel F. Valdez | CHRB-003-0010 | P.O. Box 56, Los Ojos NM 87551 |
| Gloria C. Valdez | CHRB-003-0010 | P.O. Box 56, Los Ojos NM 87551 |
| Theresa Valdez | CHRB-003-0010 | P.O. Box 56, Los Ojos NM 87551 |
| Dolores L. Maez | CHRB-006-0032 | P.O. Box 144, Abiquiu NM 87510 |
| Emery Maez | CHRB-006-0032 | P.O. Box 144, Abiquiu NM 87510 |